

THE OPINION IN SUPPORT OF THE DECISION BEING ENTERED TODAY WAS NOT
WRITTEN FOR PUBLICATION AND IS NOT BINDING PRECEDENT OF THE BOARD

Fled by: Trial Section Merits Panel
Mail Stop INTERFERENCE
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
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Paper No. 16
Entered May 25, 2007

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

KAZUSHIGE NAKAMURA, AKIO MARUYAMA,
NORIYUKI TAKAGI and MICHIO SEKIYA
Junior Party
(Patent 5,693,443)¹

v.

KIMIYUKI ITO, KEIICHI INAGAKI
and TAKESHI ISHIDA
Senior Party
(Application 09/955,030)²

Patent Interference No. 105,554
(Technology Center 1700)

Before LEE, LANE, and MOORE, Administrative Patent Judges.

LEE, Administrative Patent Judge.

Judgment -- Request for Adverse -- Bd. R. 127(b)

¹ Based on Application 08/746,980, filed November 19, 1996. The real party in interest is Canon Kabushiki Kaisha.

² Filed September 19, 2001. Accorded the benefit of Application 08/693,717, filed August 7, 1996. The real party in interest is Minolta Co., Ltd.

Junior party Nakamura has requested entry of adverse judgment (Paper 15). The request is **granted**. Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 is herein entered against junior party KAZUSHIGE NAKAMURA, AKIO MARUYAMA, NORIYUKI TAKAGI, and MICHIO SEKIYA;

FURTHER ORDERED that junior party KAZUSHIGE NAKAMURA, AKIO MARUYAMA, NORIYUKI TAKAGI, and MICHIO SEKIYA is not entitled to claims 1-12 of its involved Patent No. 5,693,443, which correspond to Count 1;

FURTHER ORDERED that if there is a settlement agreement, the parties should note the requirements of 35 U.S.C. § 135(c) and Bd. Rule 205; and

FURTHER ORDERED that a copy of this judgment be placed in the respective involved application or patent of the parties.

/ss/ Jameson Lee)
JAMESON LEE)
Administrative Patent Judge)

/ss/ Sally Gardner Lane)
SALLY GARDNER LANE)
Administrative Patent Judge)

/ss/ James T. Moore)
JAMES T. MOORE)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS AND
INTERFERENCES

Interference No. 105,554
Nakamura v. Ito

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To: 'azupcic@fchs.com'; 'pdevinsky@mwe.com'
Subject: Interference 105554 (JL) Paper No. 16 - Judgment-Request for Adverse-Bd.R. 127(b)
Attachments: 105554.016.pdf

5/25/07